

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

VENTURIST, INC.,

PLAINTIFF,

VS.

PAT MAUNEY,

DEFENDANT.

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CIVIL ACTION NO. 2:06cv494-SRW

AFFIDAVIT OF COLONEL JOHN WARDEN

Before me, the undersigned authority, on this day personally appeared Colonel John Warden, who being by me first duly sworn, deposed and stated upon his oath the following:

My name is Colonel John A. Warden, III. I am over the age of twenty-one (21) years. I have personal knowledge of the following:

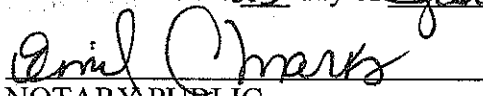
On or about April 26, 2006, I filed a Complaint for Declaratory Judgment and other relief in the Circuit Court of Montgomery County, Alabama. I brought this Complaint in the good faith belief that the amount in controversy in this case does not exceed \$75,000. As the plaintiff, I do not seek damages in an amount in excess of \$75,000. Further, I do not believe that I owe the defendant damages in excess of \$75,000.


COLONEL JOHN A. WARDEN, III

STATE OF ALABAMA
COUNTY OF MONTGOMERY

Before me, the undersigned Notary Public, did personally appear COLONEL JOHN A. WARDEN, III who states to me that he is aware of the contents of the foregoing document, and that he did execute it voluntarily.

SWORN TO and SUBSCRIBED before me on this the 23rd day of June, 2006.


NOTARY PUBLIC
My commission expires: 10-14-2006